

Message

From: Sands, Jeffrey [sands.jeffrey@epa.gov]
Sent: 11/19/2017 2:31:10 PM
To: Beck, Nancy [Beck.Nancy@epa.gov]
CC: Baptist, Erik [baptist.erik@epa.gov]; Dourson, Michael [dourson.michael@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]
Subject: Re: Briefing Document

Thanks all.

I will incorporate feedback received in a final version and be sure that you all have a printed copy first thing tomorrow morning when we meet before the briefing.

-Jeff

Sent from my iPhone

On Nov 18, 2017, at 3:48 PM, Beck, Nancy <Beck.Nancy@epa.gov> wrote:

Nice job Jeff,

See my edits in the attached. Also looping in Ryan.

On the age issue—we can propose 2 options: removal of it completely and going back to the cooperative federalism approach as was done before (we never had an age requirement) or we can propose 16 as that is consistent with an OSHA standard (but not because there is an OSHA standard as I don't think the OSHA standard really applies perfectly here, but does provide support—it's a bit apple and oranges. The OSHA standard of 16 refers to specific hazardous occupations in agriculture(<http://webapps.dol.gov/elaws/whd/flsa/docs/hazag.asp>) OSHA does mention younger ages as well so perhaps the cleanest is to simply remove the age restriction in WPS. I don't think USDA has an age standard

See here for other OSHA FLSA restrictions: <https://www.osha.gov/SLTC/youth/agriculture/other.html>.

Note at our PPDC public meeting, the discussion was some tweaks to get to 16, but not full removal. I think proposing both options may be best path forward

Also note that in our NASDA petition response we said we would extend compliance dates in WPS for everything that was changed in 2015—this is about 100 items. Everything except the exclusion zone for handlers and pesticide safety posters was effective Jan 2, 2017, these last 2 are effective Jan 2, 2018. I recommend that we only extend the compliance date for the 3 areas we are taking comment on.

See suggestions in the attached.

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Ex. 6 Personal Privacy (PP)
Beck.Nancy@epa.gov

From: Baptist, Erik
Sent: Saturday, November 18, 2017 10:45 AM
To: Dourson, Michael <dourson.michael@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Briefing Document

One consideration that I've already raised with Jeff: if OSHA already regulates age, then perhaps EPA's age restrictions are superfluous and unnecessary. I would be reluctant to copying the OSHA's age restrictions; instead, it might be better to say whatever OSHA says is okay, EPA will permit.

Sent from my iPhone

On Nov 17, 2017, at 8:32 PM, Dourson, Michael <dourson.michael@epa.gov> wrote:

Jeff

Very nice. Only one comment and it is likely a misremembering on my part. A famous quote by Hemmingway (I believe) is that if "I had more time, I would have written less." Seems to apply here.

Cheers!

Michael

From: Sands, Jeffrey
Sent: Friday, November 17, 2017 6:05 PM
To: Beck, Nancy <Beck.Nancy@epa.gov>; Dourson, Michael <dourson.michael@epa.gov>; Baptist, Erik <baptist.erik@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Briefing Document

All,

Please review attached document over the weekend and please provide feedback for edits. This should summarize and reflect development conversations over the past couple days.

Additionally, it looks like our opportunity to catch up Monday AM prior to will not work. Lets try to connect over the weekend to work through any relevant issues, if possible.

Thanks for your consideration and have a nice weekend.

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